

## Message Text

LIMITED OFFICIAL USE

PAGE 01 EC BRU 01421 141848Z  
ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01 CIAE-00  
COME-00 DODE-00 EB-08 FRB-03 H-01 INR-07 INT-05 L-03  
LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15  
STR-04 ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01  
/101 W

-----142332Z 037142 /64

R 141822Z FEB 77  
FM USMISSION EC BRUSSELS  
TO SECSTATE WASHDC 3019  
INFO USMISSION GENEVA

LIMITED OFFICIAL USE EC BRUSSELS 1421

E. O. 11652: N/A  
TAGS: ETRD, EMIN, EEC, US  
SUBJECT: COMMUNITY'S INTERPRETATION OF GATT ARTICLE XIX ON  
RETALIATION ON SPECIALTY STEEL

REF: EC BRUSSELS 1386

1. DURING A RECENT DISCUSSION ON SPECIALTY STEEL,  
FIELDING LET DROP THAT THE COMMUNITY HAD PREPARED  
CONTINGENCY PLANS FOR RETALIATION SHOULD THE UNITED  
STATES CONTINUE TO MAINTAIN UNCHANGED IMPORT QUOTAS  
ON SPECIALTY STEEL.

2. FIELDING, WHO SEEMS TO BE SUPPORTED BY HIJZEN,  
SAID THAT THE COMMUNITY'S INTERPRETATION WAS THAT  
A SAFEGUARD ACTION UNDER GATT ARTICLE XIX HAD TO BE  
ON AN MFN BASIS. (WE NOTE FROM THE ANALYTICAL INDEX  
OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE,  
MARCH 1970, PAGE 108, POINT 5(B) THAT THIS INTERPRETA-  
TION CORRESPONDS TO THE HAVANA CHARTER INTERPRETATIVE  
NOTE AD ARTICLE 40.) HOWEVER, ACCORDING TO  
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PAGE 02 EC BRU 01421 141848Z

FIELDING, THE COMMUNITY ALSO INTERPRETS ARTICLE XIX 3(A) TO MEAN  
THAT RETALIATION AGAINST SUCH A SAFEGUARD ACTION DOES NOT NEED  
TO BE ON MFN BASIS. WE EXPRESSED SOME SKEPTICISM AT THIS INTER-  
PRETATION.

2. WE DO NOT KNOW WASHINGTON'S VIEWS ON THIS  
POINT, BUT FIELDING'S STATEMENT CAME AS A SURPRISE TO SOME OF US.

HINTON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** STEELS, IMPORT QUOTAS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 14-Feb-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977ECBRU01421  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770052-0746  
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**Litigation History:**  
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**Message ID:** 16fe6dc7-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 77 EC BRUSSELS 1386  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3330973  
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**Status:** NATIVE  
**Subject:** COMMUNITY'S INTERPRETATION OF GATT ARTICLE XIX ON RETALIATION ON SPECIALTY STEEL  
**TAGS:** ETRD, EMIN, US, EEC  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
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